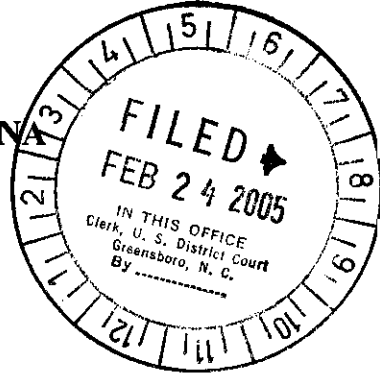


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



SETRA OF NORTH AMERICA, INC.,)
)
Plaintiff,)
)
v.)
)
MOTORCOACH FINANCIAL, INC.,)
)
Defendant,)
)
v.)
)
DAIMLERCHRYSLER AG and)
EVOBUS GMBH,)
)
Counterclaim Defendants.)

1:02CV00428

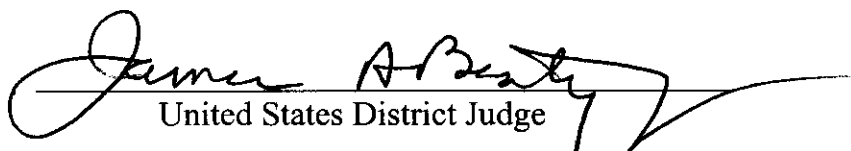
O-R-D-E-R

On January 21, 2005, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Additional Counterclaim Defendants' motions to dismiss [Pleading Nos. 38, 43, and 97] be **GRANTED** and that Defendant

Motorcoach Financial's counterclaims against the Additional Counterclaim Defendants be dismissed.


United States District Judge

Date: February 24, 2005